

2003 DRAFTING REQUEST**Bill**Received: **10/23/2002**Received By: **mlief**Wanted: **As time permits**

Identical to LRB:

For: **Carol Owens (608) 267-7990**By/Representing: **jacque**This file may be shown to any legislator: **NO**Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Courts - miscellaneous
Munis - miscellaneous**Extra Copies: **MES**Submit via email: **YES**Requester's email: **Rep.Owens@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Publication of municipal notices on the Internet and in shopper newspapers

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							Local
/1	mlief 10/25/2002	jdye 11/15/2002	rschluet 11/18/2002		sbasford 11/18/2002	sbasford 11/20/2002 sbasford 11/20/2002	

11/20/2002 11:17:19 AM

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FE Sent For:

<END>

↳ At Intro

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FE Sent For:

11/15 jld

11-18 <END>

Lief, Madelon

From: Nelson, Robert P.
Sent: Wednesday, October 23, 2002 8:14 AM
To: Lief, Madelon
Subject: FW: Drafting Request for Rep. Owens

have a good time look at 01-0361

-----Original Message-----

From: Shovers, Marc
Sent: Tuesday, October 22, 2002 11:14 AM
To: Nelson, Robert P.
Subject: FW: Drafting Request for Rep. Owens

-----Original Message-----

From: Dicks, Jacque
Sent: Tuesday, October 22, 2002 11:05 AM
To: Shovers, Marc
Subject: Drafting Request for Rep. Owens

Marc,

Per our phone conversation, this e-mail serves as a "Bill Request Form" from Rep. Owens to introduce the following legislation for the 2003-04 session:

Eliminate the law that requires municipalities to post public legal notices in the newspaper. Instead allow posting of notices on their municipal web site. If a municipality does not have a web site, provide an option to officially publish in shoppers and advertisers or the newspaper.

Thank you for your prompt attention to this request.

Jacque Dicks
R.A. to Rep. Owens

*Folio
"Internet site"*



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0547/1

MJL:.....

file

751-0500

2003 BILL

D-2

Gen

1 AN ACT ...; relating to: publication of municipal legal notices. ✓

Analysis by the Legislative Reference Bureau

Current law requires a municipality, including a school district, to publish a legal notice in a newspaper with paid circulation that is likely to give notice in the area or to the person affected.

The bill allows a municipality the additional options of (1) publishing the legal notice in a free "shopper newspaper" if the publisher leaves at distribution ~~in~~ ^{points} in the county in which the publisher is headquartered or in which the newspaper is published enough copies for ~~ten percent~~ ^{10%} of the county's residents; or (2) posting the notice on the Internet site of the municipality. *

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 985.02 (1) of the statutes is amended to read: ✓

3 985.02 (1) Except as otherwise provided by law, a legal notice shall be either
4 published in a newspaper likely to give notice in the area or to the person affected

5 or posted on the Internet site of the municipality. Whenever the law requires

BILL

SECTION 1

1 publication in a newspaper published in a designated municipality or area and no
2 newspaper is published therein publication shall be made in a newspaper likely to
3 give notice.

4 **SECTION 2.** 985.03 (1) (a) (intro.)[✓] of the statutes is amended to read:

5 985.03 (1) (a) ^(intro.) ~~No~~ Except as provided in par. (am)[✓], no publisher of any
6 newspaper in this state shall be awarded or be entitled to any compensation or fee
7 for the publishing of any legal notice unless, for at least 2 of the 5 years immediately
8 before the date of the notice publication, the newspaper has been published regularly
9 and continuously in the city, village or town where published, and has had a bona fide
10 paid circulation:

11 History: 1975 c. 341; 1989 a. 31.

SECTION 3. 985.03 (1) (am)[✓] of the statutes is created to read:

12 985.03 (1) (am) A publisher of a newspaper in this state may be awarded
13 compensation or a fee for the publishing of any legal notice[✓] if all of the following
14 criteria are met:

15 1. The newspaper is free.

16 2^g₀ ^g The publisher of the newspaper leaves at distribution[✓] points within the
17 county in which the publisher is headquartered or in which the newspaper is
18 published enough copies of the newspaper for 10%[✓] of the residents of that county.

19 3. The newspaper has been published continuously for at least one year before
20 the date of the[✓] notice publication.

21 (END)

D-note



D-N

To avoid potential due process issues, the
draft provides that ^{enough copies of} the shopper newspaper

must be left out for 10% of the ^{county's} county's

residents. ^{OK?} ~~It has no idea of the~~

~~practical~~, but

MIL

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0547/1dn
MJL:jld:rs

November 18, 2002

To avoid potential due process issues, the draft provides that enough copies of the shopper newspaper must be left out for 10% of the county's residents. OK?

Madelon J. Lief
Senior Legislative Attorney
Phone: (608) 267-7380

Basford, Sarah

From: Dicks, Jacque
Sent: Wednesday, November 20, 2002 10:49 AM
To: LRB.Legal
Subject: Draft review: LRB-0547/1 Topic: Publication of municipal notices on the Internet and in shopper newspapers

★ Rep-Owens

It has been requested by <Dicks, Jacque> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-0547/1 Topic: Publication of municipal notices on the Internet and in shopper newspapers